

## **CHAPTER 3 GENERAL PRETRIAL RULES**

### **RULE 3.1 APPLICATION OF GENERAL COURT RULES**

These Rules are in addition to, and do not supersede, applicable state rules unless specifically authorized and so stated.

Eff. Jul 1, 2001.

### **RULE 3.2 RELIEF FROM LOCAL RULES**

Relief from operation of these rules must be on prior request to the court.

Eff. Jul 1, 2001.

### **RULE 3.3 SANCTIONS**

Failure to comply with any local rule or California Rules of Court may subject the party to sanctions pursuant to California Rules of Court, rule 227; Code of Civil Procedure sections 177.5 and 575.2.

Eff. Jul 1, 2001.

### **RULE 3.4 REGULAR LAW AND MOTION**

Civil Law and Motion matters are heard on Thursdays in Mammoth Lakes, ( no Law and Motion matters will be set on the 5<sup>th</sup> Thursday of any month) and every Friday in Bridgeport. Matters in which the time estimates are 20 minutes or less are heard at 9:30 a.m.

Eff. Jul 1, 2001.

### **RULE 3.5 SHORT CAUSES**

Matters in which the time estimates are one-half day or less may be set on Law and Motion Day at such times as are approved in advance of setting by the Branch Calendaring Clerk.

Eff. Jul 1, 2001.

### **RULE 3.6 AUTHORITY OF CLERK'S OFFICE REGARDING SETTINGS**

The setting of cases for trial and for pretrial and mandatory settlement conferences is done by the presiding judge who has delegated initial authority in these matters to the clerk's office.

When matters are assigned for trial by the clerk's office they will be assigned to the available location and department.

Eff. Jul 1, 2001

### **RULE 3.7 NO AT ISSUE MEMORANDUM-CIVIL CASES**

No at issue memorandum need be filed with the court.

Eff. Jul 1, 2001

**RULE 3.8 SETTING CASES FOR TRIAL**

Cases may be set for trial without a trial setting conference. Trial dates will be selected by the judge assigned to the case, who will consider the nature of the case, the Case Management Statement, the attorney's availability calendar and the condition of the court's calendar. The place of trial will be selected by the court after consideration of the convenience of the witnesses and parties as well as the availability of courtrooms.

Eff. Jul 1, 2001

**RULE 3.9 REQUESTS FOR CHANGES IN TRIAL DATES**

All requests for a change in trial date must either conform to section 3.10, or be brought by motion pursuant to Rule 375, California Rule of Court.

Eff. Jul 1, 2001

**RULE 3.10 STIPULATION REGARDING CALENDARED MATTERS**

Stipulations to vacate a matter that has been calendared or for a change of a date for a trial or other matter that has been calendared by the court are joint requests by the stipulating parties that a date be changed. The originally calendared date will not automatically be changed. If the stipulation is that the matter be continued to a specific date, the stipulation must aver that the clerk's office has approved the availability of the proposed date.

Eff. Jul 1, 2001

**RULE 3.11 TRIAL SETTING CONFERENCE/SETTLEMENT CONFERENCE**

Trial Setting Conference/Settlement Conferences are mandatory for any civil case where jury is demanded. Appearances are mandatory. The Clerk of the Court shall notice counsel by mail of Trial Setting Conference/Settlement Conferences after the case is on the civil active list, unless counsel appeared in Court when such a hearing was scheduled. (see rule 4.10).

**RULE 3.12 NOTICE OF TRIAL**

Following the trial setting conference, the Clerk shall mail notice of trial pursuant to Rule 221, California Rules of Court.

Eff. Jul 1, 2001.

**RULE 3.13 PRETRIAL CONFERENCE**

A pre-trial conference will be set approximately two weeks prior to trial. Motions in limine shall be heard at the pretrial conference, and not on the day of trial. (see Rule 4.8).

Eff. Jul 1, 2001.